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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 TORRENCE T. PALMS,

11 Plaintiff,

12 v.

13 RICH AUSTIN JR.,

14 Defendant.

CASE NO. C18-0838JLR

ORDER DISMISSING CASE

15 On September 6, 2018, the court entered an order that, *inter alia*, granted  
16 Defendant Rich Austin Jr.'s motion to dismiss Plaintiff Torrence Palms's complaint, and  
17 granted Mr. Palms leave to amend his complaint within 20 days from the date of the  
18 order. (Order (Dkt. # 12).) On September 25, 2018, Mr. Palms asked the court for 30  
19 additional days to amend his complaint so that he could first retain counsel. (Mot. (Dkt.  
20 # 15) at 1.) In the alternative, Mr. Palms asked the court to dismiss the case without  
21 prejudice. (*See id.*) Mr. Austin did not respond to Mr. Palms's motion. (*See generally*

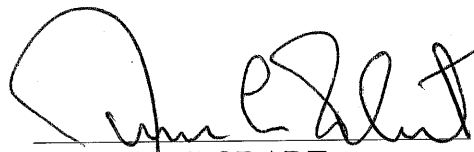
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1 Dkt.) For the following reasons, the court GRANTS in part and DENIES in part Mr.  
2 Palms's motion, and DISMISSES this case without prejudice.

3 Local Rule 7(j) provides a party with potential relief from a filing deadline. *See*  
4 Local Rules W.D. Wash. LCR 7(j). A stay from a deadline is appropriate when there is  
5 an "unforeseen emergency." *Ramirez v. Chow*, No. C12-5630JRC, 2013 WL 2285977, at  
6 \*2 (W.D. Wash. May 23, 2013); *see also Lambert v. Dennis*, No. C15-1213RSM, 2016  
7 WL 7441012, at \*1 (W.D. Wash. Dec. 27, 2016). Moreover, "[a] motion for relief from a  
8 deadline should, whenever possible, be filed sufficiently in advance of the deadline to  
9 allow the court to rule on the motion prior to the deadline." Local Rules W.D. Wash.  
10 LCR 7(j). Mr. Palms filed his motion for relief on September 25, 2018 (*see* Mot.), one  
11 day before his deadline to amend his complaint (*see* Order at 13). Mr. Palms did not  
12 present the court with any evidence of an "unforeseen emergency" that makes relief from  
13 the deadline appropriate. The court therefore DENIES Mr. Palms's request for relief  
14 from the deadline.

15 More than 20 days have now passed since the court issued the order described  
16 above. (*See* Order.) Mr. Palms has failed to file an amended complaint. (*See generally*  
17 Dkt.) Accordingly, the court GRANTS Mr. Palms's alternatively requested relief, and  
18 DISMISSES without prejudice his complaint in its entirety.

19 Dated this 11<sup>th</sup> day of October, 2018.

20   
21 JAMES L. ROBERT  
22 United States District Judge